

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

A hand-drawn map on grid paper. A vertical road is labeled "T 19 N". A horizontal road is labeled "R 3 E". An intersection is marked with an "X" and labeled "Point of div.".

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

John O. Westwater
(Applicant)
and
Jane S. Westwater

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO]
]ss.
County of Valley]

Michael Parfit, being first duly sworn, deposes and says: That he is the publisher of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began September 29, 1977 and ended October 6, 1977.

Michael Parfit
Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 6 day of October, 1977.

John D. Parfit Notary Public.

My commission expires Aug 1, 1981.

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Westwater Intervivos Trust 5278 Los Diegos Way, Los Angeles, CA 90027 has on 9-12-77 submitted Application No. 65-7973 for a permit to appropriate 0.04 cubic feet per second of water from Payette Lake by means of pump & pipe within Gov lot 2 Sec 28 T19N R3E B.M., county of Valley to be used from Jan 1 to Dec 31 for domestic purposes within the Gov. lot 2 SENW Sec 28 T19N R3E.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before October 17, 1977.

C. Stephen Allred
Director

Published in the Star News on September 29, 1977 and October 6, 1977.

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11-1-77
MICROFILMED

RECEIVED
OCT 11 1977



MAKING FILMED

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[illegible]

MICROFILMED

AUG 21 1987

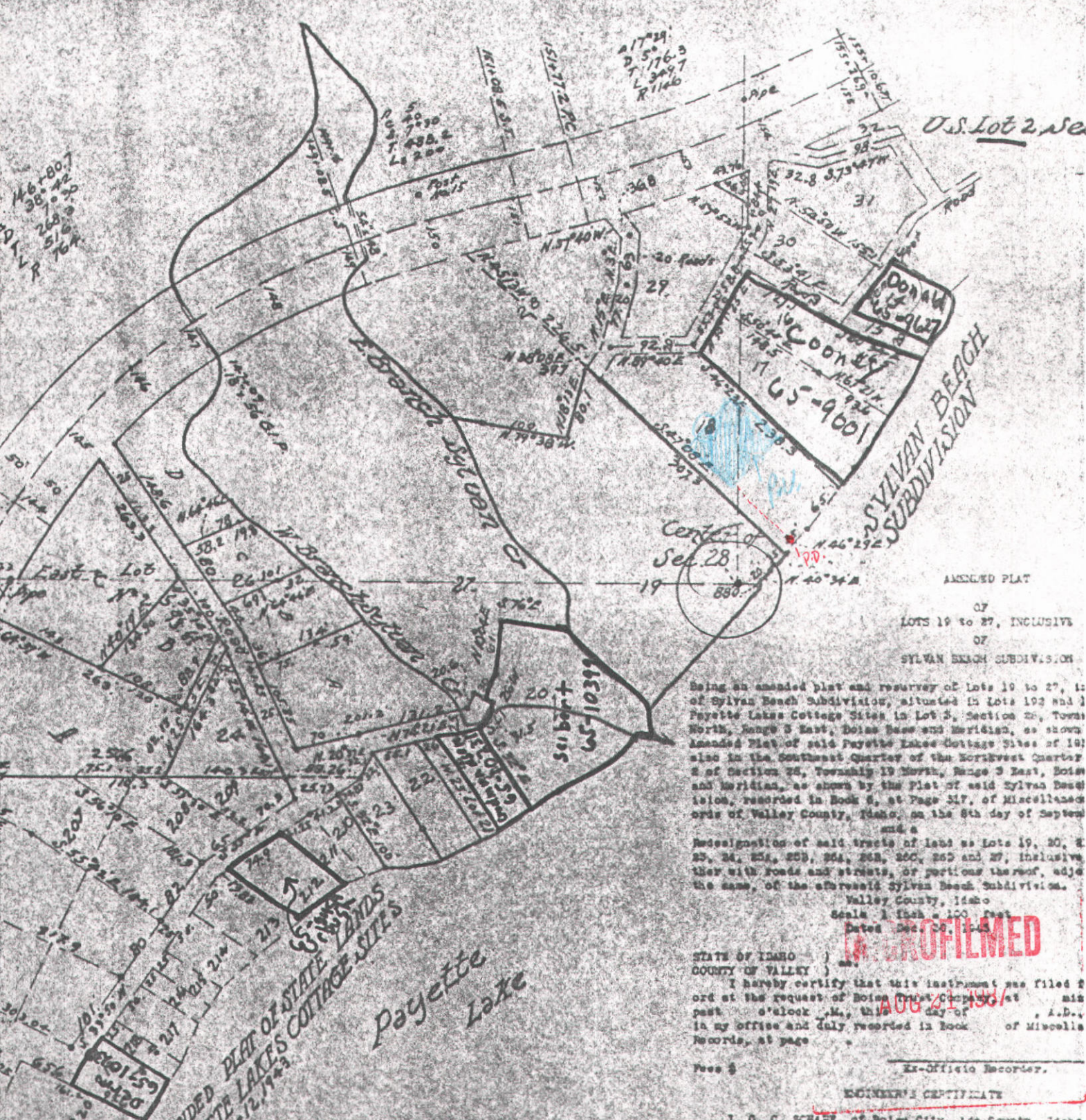
Total number of Acres 2,340,000

Journal of Surveying
M 10 11

When Survived

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Sylvan Beach



U.S. Lot 2.50

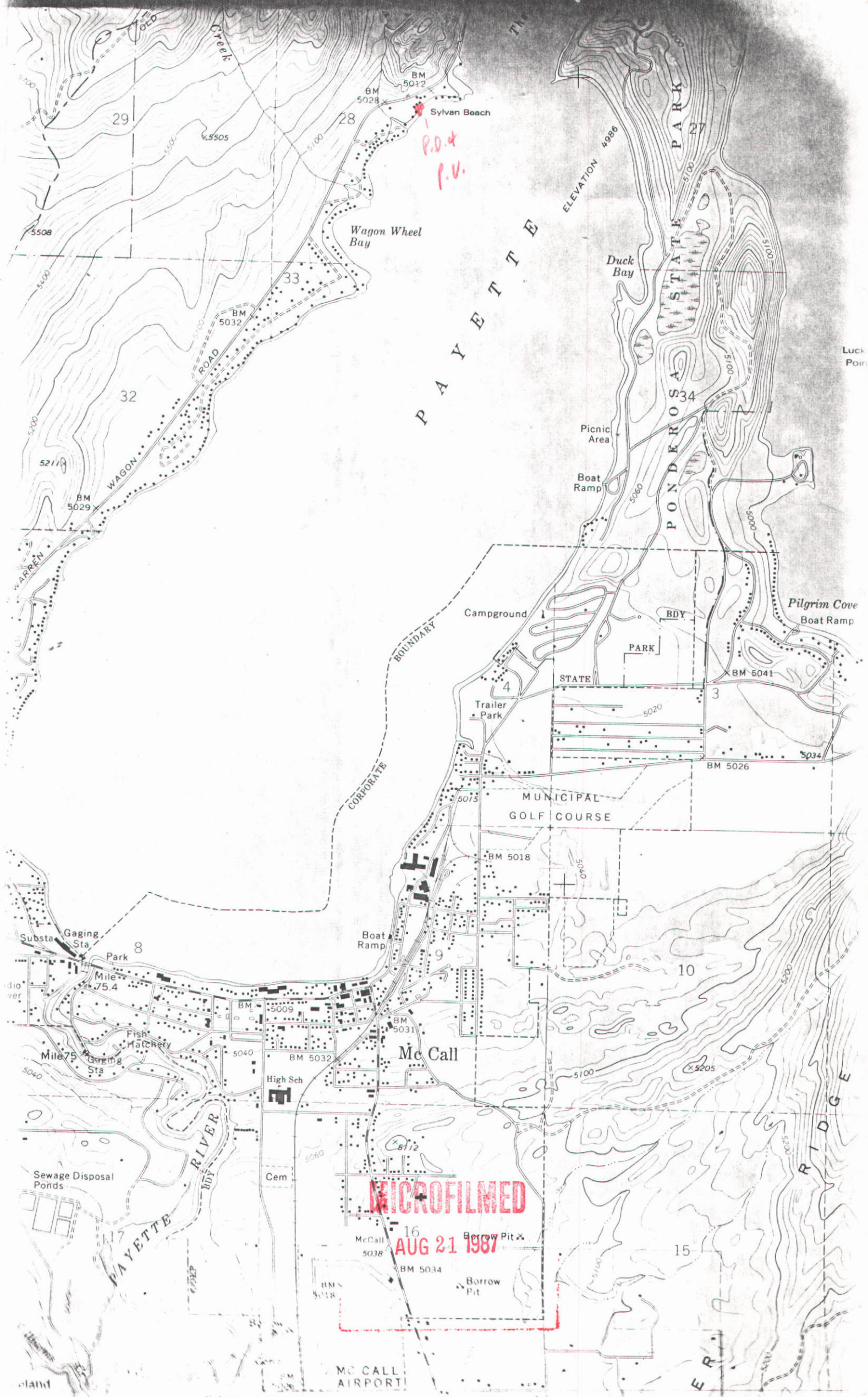
SYLVAN BEACH
SUBDIVISION

AMENDED PLAT OF STATE LANDS
PAYETTE LAKE COTTAGE SITES
June 12, 1943

AMENDED PLAT
OF
LOTS 19 TO 27, INCLUSIVE
OF
SYLVAN BEACH SUBDIVISION

Being an amended plat and reservation of Lots 19 to 27, 1/4 of Sylvan Beach Subdivision, situated in Lots 193 and 194 of Payette Lake Cottage Sites in Lot 3, Section 28, Township 19 North, Range 3 East, Boise Base and Meridian, as shown Amended Plat of said Payette Lake Cottage Sites of 1932 also in the Southeast Quarter of the Northwest Quarter 2 of Section 28, Township 19 North, Range 3 East, Boise Base and Meridian, as shown by the Plat of said Sylvan Beach Subdivision, recorded in Book 6, at Page 317, of Miscellaneous Orders of Valley County, Idaho, on the 8th day of September, 1942, and a

redesignation of said tracts of land as Lots 19, 20, 21, 22, 23, 24, 25A, 25B, 25C, 25D, 25E, 25F, 25G, 25H, 25I, 25J, 25K, 25L, 25M, 25N, 25O, 25P, 25Q, 25R, 25S, 25T, 25U, 25V, 25W, 25X, 25Y, 25Z, 26A, 26B, 26C, 26D, 26E, 26F, 26G, 26H, 26I, 26J, 26K, 26L, 26M, 26N, 26O, 26P, 26Q, 26R, 26S, 26T, 26U, 26V, 26W, 26X, 26Y, 26Z, 27A, 27B, 27C, 27D, 27E, 27F, 27G, 27H, 27I, 27J, 27K, 27L, 27M, 27N, 27O, 27P, 27Q, 27R, 27S, 27T, 27U, 27V, 27W, 27X, 27Y, 27Z, 28A, 28B, 28C, 28D, 28E, 28F, 28G, 28H, 28I, 28J, 28K, 28L, 28M, 28N, 28O, 28P, 28Q, 28R, 28S, 28T, 28U, 28V, 28W, 28X, 28Y, 28Z, 29A, 29B, 29C, 29D, 29E, 29F, 29G, 29H, 29I, 29J, 29K, 29L, 29M, 29N, 29O, 29P, 29Q, 29R, 29S, 29T, 29U, 29V, 29W, 29X, 29Y, 29Z, 30A, 30B, 30C, 30D, 30E, 30F, 30G, 30H, 30I, 30J, 30K, 30L, 30M, 30N, 30O, 30P, 30Q, 30R, 30S, 30T, 30U, 30V, 30W, 30X, 30Y, 30Z, 31A, 31B, 31C, 31D, 31E, 31F, 31G, 31H, 31I, 31J, 31K, 31L, 31M, 31N, 31O, 31P, 31Q, 31R, 31S, 31T, 31U, 31V, 31W, 31X, 31Y, 31Z, 32A, 32B, 32C, 32D, 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107O, 107P, 107Q, 107R, 107S, 107T, 107U, 107V, 107W, 107X, 107Y, 107Z, 108A, 108B, 108C, 108D, 108E, 108F, 108G, 108H, 108I, 108J, 108K, 108L, 108M, 108N, 108O, 108P, 108Q, 108R, 108S, 108T, 108U, 108V, 108W, 108X, 108Y, 108Z, 109A, 109B, 109C, 109D, 109E, 109F, 109G, 109H, 109I, 109J, 109K, 109L, 109M, 109N, 109O, 109P, 109Q, 109R, 109S, 109T, 109U, 109V, 109W, 109X, 109Y, 109Z, 110A, 110B, 110C, 110D, 110E, 110F, 110G, 110H, 110I, 110J, 110K, 110L, 110M, 110N, 110O, 110P, 110Q, 110R, 110S, 110T, 110U, 110V, 110W, 110X, 110Y, 110Z, 111A, 111B, 111C, 111D, 111E, 111F, 111G, 111H, 111I, 111J, 111K, 111L, 111M, 111N, 111O, 111P, 111Q, 111R, 111S, 111T, 111U, 111V, 111W, 111X, 111Y, 111Z, 112A, 112B, 112C, 112D, 112E, 112F, 112G, 112H, 112I, 112J, 112K, 112L, 112M, 112N, 112O, 112P, 112Q, 112R, 1



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-7973

Priority: September 9, 1977 Amount: .04 CFS 1.2 AFA

This is to certify, that WESTWATER INTERVIVOS TRUST
JOHN O. WESTWATER, TRUSTEE
JANE S. WESTWATER, TRUSTEE

2418 LEEWARD CIRCLE

WESTLAKE VILLAGE, CA 91361

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated September 9, 1977, and has submitted proof to the Department of Water Resources on June 5, 1981, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .04 cfs of water from;

BIG PAYETTE LAKE

tributary to PAYETTE RIVER

and that a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| Domestic | 01/01 to 12/31 | .04 cfs | 1.2 afa |

LOCATION OF POINT OF DIVERSION(S): LOT 2(SWNE), Sec. 28, Township 19N, Range 3E
Valley County

PLACE OF USE: Domestic

TWN RGE SEC

19N 3E 28 LOT 2(SWNE) SENW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 65 .
5. The availability of water for this license is subject to all prior water rights of Lake Reservoir Company.
6. Place of use also known as Sylvan Beach Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 14 day of August, 1987.

NOT RECORDED

AUG 21 1987

for Director

DAVID B. SHAW

Identification No. _____

Application No. 65-7973

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

Westwater Intervivos Trust

1 Name of applicant John O. &/or Jane S. Westwater, Trustees Phone: _____

post office address 5278 Los Diegos Way Los Angeles, CA 90027

2 Source of water supply Payette Lake which is a tributary of _____

3 a Location of point of diversion is (SW 1/4 of NE) 1/4 of Section 28 Township 19N

Range 3E B.M. Valley County; additional points of diversion if any _____
Lot 18 in Lot 2 Sylvan Beach Subdivision

b If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

4 Water will be used for the following purposes.

Amount .04 for domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated

a .04 cfs cubic feet per second and/or

b _____ acre feet per annum.

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc 3/4 hp demand pump to give
20 lb. approximate pressure at house, 300', 1 1/4" pipe from Lake, 1"
pipe 100' pump to house

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam. _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo Day) (Mo Day)

c Proposed well diameter is _____ inches; proposed depth of well is _____ feet

7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years

b Estimated construction cost is \$ existing

8 Description of proposed uses

a If water is **not** for irrigation SW NE (Lot 2)

(1) Give the place of use of water SE 1/4 of NW 1/4 of Section 28 Township 19N
Range 3E B.M.

(2) Amount of power to be generated _____ hp under _____ feet of head

(3) List number of each kind of livestock to be watered 0

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water One

Water is to be used for other purposes describe _____

APPROVED

MICROUT-

| Remarks |
|---------|
| |
| |
| |
| |

applicant to make this filing

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

b. Who owns the land to be irrigated or place of use

a. Who owns the property at the point of diversion

Combined with Sylvan Beach Mutual Corporation

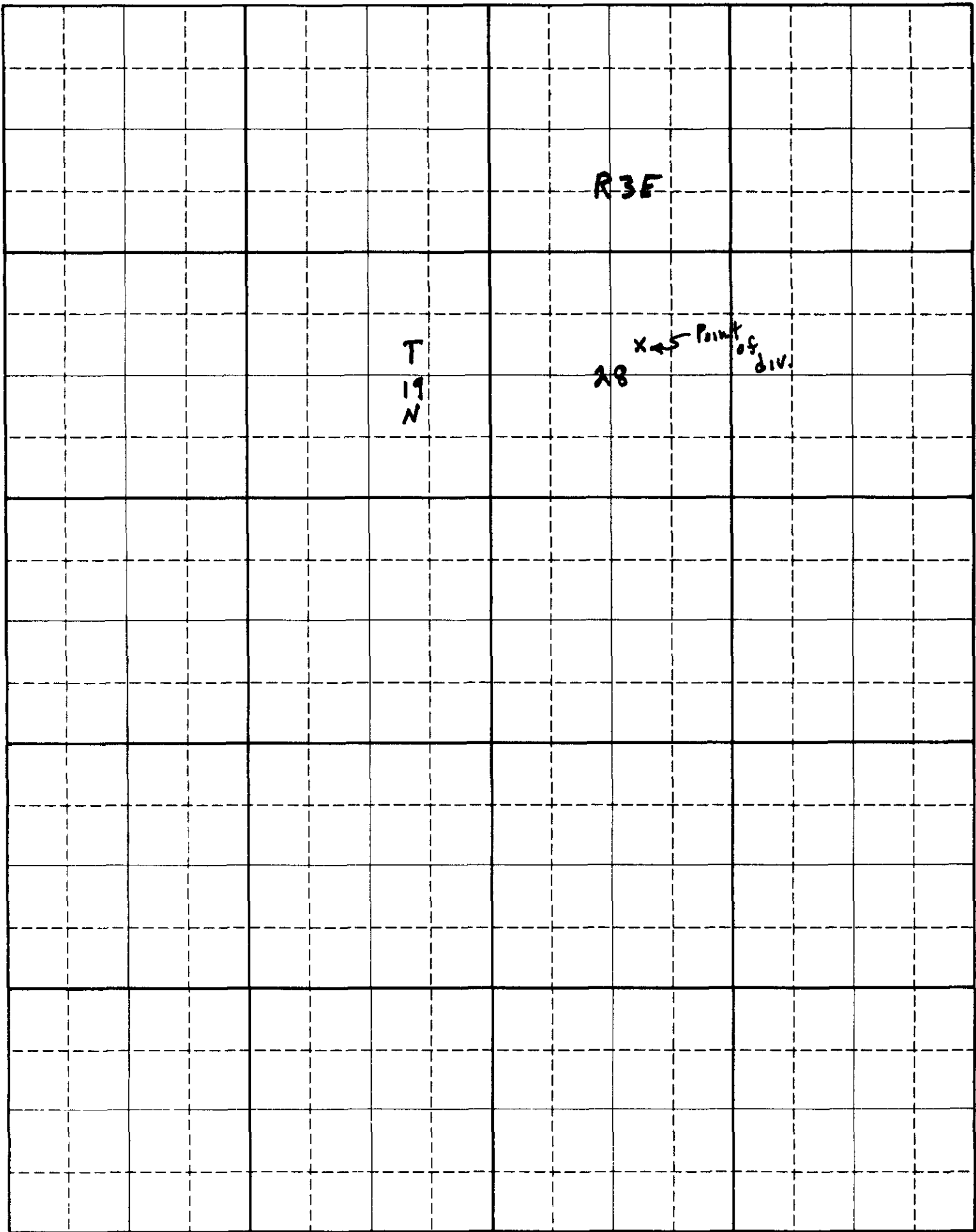
c. Describe any other water rights used for the same purposes as described above.

_____ Total number of acres to be irrigated

| TWP | RANGE | SEC | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | |
|---------------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |
| | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | |
| TOTALS | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |

b If water is for irrigation, indicate acreage in each subdivision in the tabulation below

11 Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number



Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

RECEIVED

John O. Westwater
(Applicant)
and
Jane S. Westwater

Proposed Priority

MICROFILMED

Received by mf Date 9-9-77 Time 11:20am
Preliminary check by mf Fee \$ 10.00
Receipted by mf Date 9-12-77
Publication prepared by mf Date 9-14-77
Published in Star News
Publication dates 9-29 & 10-6-77
Publication approved mf Date 11-1-77
Priority reduced to _____ Reason _____

Protests filed by Lake Reservoir Co. by
L. Gorrone
withdrawn 2/9/81
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS TH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7973, and said application is hereby approved.

- 1 Approval of said application is subject to the following limitations and conditions
 - a SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 82.
 - c Other Use of water under this permit is subject to control by the watermaster of State Water District # 65, Payette River. (2) The availability of water for this permit is subject to all prior water rights of Lake Reservoir Company.

- 2 Denial of said application is for the following reasons _____

Witness my hand this 26th day of February 19 81.

A. Glen Saxton
Chief, Bureau

INTER-DEPARTMENT MEMO — 1

DATE February 14, 1978

FROM Anita L. Warntjes

TO File No. 65-7973

SUBJECT Change of Address

PLEASE NOTE CHANGE OF ADDRESS:

2418 LEEWARD CIRCLE
WESTLAKE VILLAGE
CALIFORNIA 91316

John O. Westwater

*from 5278 LOS DIEGOS WAY
LOS ANGELES 90027*

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 334-2190

January 21, 1981

JAN 24 1981

Lou Gorrone
Attorney at Law
P.O. Box 637
Emmett, Idaho 83617

RE: Lake Reservoir Company

Dear Lou:

As we discussed by phone on January 20, I am sending you the most recent letters dealing with the Lake Reservoir protests of water right filings on Big Payette Lake.

The agreement which I believe everyone concurs with is outlined in my letter of November 4, 1980 to you and modified by my letter of November 13, 1980 to Bob Henggeler. If this procedure is acceptable to you, all that is necessary to implement is to withdraw your protests against the outstanding applications to divert water from Big Payette Lake on file with this department. If you do not concur with the agreement as outlined, please contact me so a suitable agreement can be prepared.

If the agreement is acceptable and you concur with withdrawing the protests against application for permit numbers 65-7973, 65-12088, 65-12089, 65-12091, 65-12294, 65-12338, 65-12339, 65-12342, 65-12348, 65-12354 and 65-12363, then please sign the lower portion of this letter and return to this office. There is an additional copy of the letter enclosed for your records.

If you have any questions, please contact me so we can get this matter resolved.

Yours truly,



DAVID B. SHAW

Western Region Supervisor

LAKE RESERVOIR HEREBY WITHDRAWS THEIR PROTESTS AGAINST THE ABOVE NUMBERED APPLICATIONS FOR PERMIT SUBJECT TO THOSE APPLICATIONS BEING PROCESSED AS DESCRIBED IN THE LETTERS OF NOV. 4 AND 13, 1980 FROM THE DEPARTMENT OF WATER RESOURCES BY DAVID SHAW.

Lake Reservoir Company


by LOU GORRONE

6 Feb. 1981
Date

MICROFILMED

L. GORRONO

ATTORNEY AT LAW
106 NORTH HAYES
P.O. Box 637
EMMETT, IDAHO 83617
(208) 365-2421

October 17, 1977

RECEIVED
OCT 18 1977

Department of Water Resources
Western Regional Office

Director C. Stephen Allred
Idaho Department of Water Resources
92 S. Cole Rd.
Boise, Idaho 83705

65-7973

Re: Westwater Intervivos Trust, Application # 65 7073

Dear Sir:

I have been instructed to submit a Protest against the granting of the permit to appropriate .04 cu. ft. per sec. of water from Payette Lake, pursuant to the "Notice of Application for Water Permit" published in connection with said application.

It is realized the application is "subject to all prior water rights," but Lake Reservoir is concerned about the questions of priority of use and complications that might possibly arise from the numerous pumps and pipes in Payette Lake.

Very truly yours,


L. Gorrano

LG/dar

CC: Lake Reservoir Co.
United States Department of
Interior, Bureau of Reclamation
Boise Office

P.S. The protest in writing above is submitted in confirmation of the verbal protest made this date, in my telephone conversation with Don Schaff, of your department. Thank you for your attention to this matter.



RECEIVED

PUBLISHER'S AFFIDAVIT

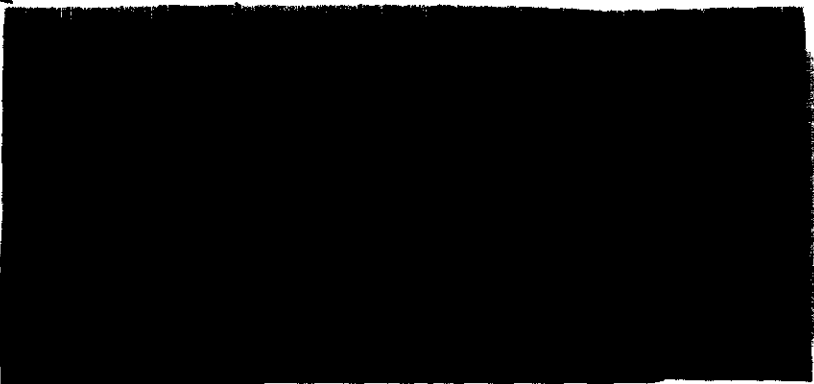
STATE OF IDAHO]
]ss.
County of Valley]

Michael Parfitt, being first duly sworn, deposes and says: That he is the publisher of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for 1,500 consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began September 29, 1922 and ended October 6, 1922.

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 6 day of October, 1922.

.....
Notary Public.

My commission expires Aug 1, 1921.



0-2-1
11-1-21
MICROFILMED

As soon as you know your new address, mail this card to all the people, businesses, and publications who send you mail.
For publications, tape an old address label over name and old address sections and complete new address.

| Your Name | | Print or Type—Last Name, First Name, Middle Initial | | | |
|---------------|--|---|--|----------------------------|--|
| Old Address | | WESTWATER INTER VIUOS TRUL Jhn O. WESTN | | | |
| No and Street | | 2418 LEEWARD ci. | | Apt./Suite No. | |
| City | | WESTLAKE VILLAGE | | State | |
| No and Street | | 300 HOT SPRINGS Road | | Apt./Suite No. | |
| City | | MONTICITO | | State | |
| Signature | | John O. Westwater | | Date new address in effect | |
| Sign Here | | 12.21.88 | | ZIP Code | |
| | | 65-7973 | | Account No. (if any) | |

PS Form 3578, Apr. 1986

RECEIVER Be sure to record the above new address book at home or office

CHANGE OF ADDRESS
REQUEST FOR
Correspondents,
Publishers and
Businesses



REGISTERED MAIL

DEC 22 1988



Department of Water Resources
STATE OF IDAHO

Name DEPARTMENT OF WATER RESOURCES
(For publishers, name of publication)

Address 1301 N. OAKHARD ST.
(Include Apt./Suite No.)

City BOISE State IDAHO ZIP Code 83706-2237

August 17, 1987

WESTWATER INTERVIVOS TRUST
2418 LEEWARD CIRCLE
WESTLAKE VILLAGE, CA 91361

RE: Permit No. 65-7973

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

FILMED

AUG 21 1987

219-5.1A
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

65-7973
Permit No.

RECEIVED

FEB 09 1987

A. Prior to Conducting the Exam, the File Contains:

☒ Blank Field Report Form

☒ Copy of Permit

Department of Water Resources

N/A ☒ Copies of any Amendments/Orders with conditions of approval

☒ Computer Data Proof Report

☒ Copy of U.S.G.S. Quad

Lot 2 ☒ Check for Government Lots. If so, make a copy of Government Plat

lot 2 - S.W.N.E

Check of P/D index CD 9/8/86 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index CD 9/8/86 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? CD 8/21/86 (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

☒ Fully completed and signed Field Report Form

☒ Photographs of Point of Diversion and Place of Use

☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed CD 10/2/86 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent _____ (Initial and date)

Exam Reviewed by Manager of Regional Office CD 12/1/86 (Initial and date)

Exam Date Entered in Computer 7/1/87 (Initial and date)

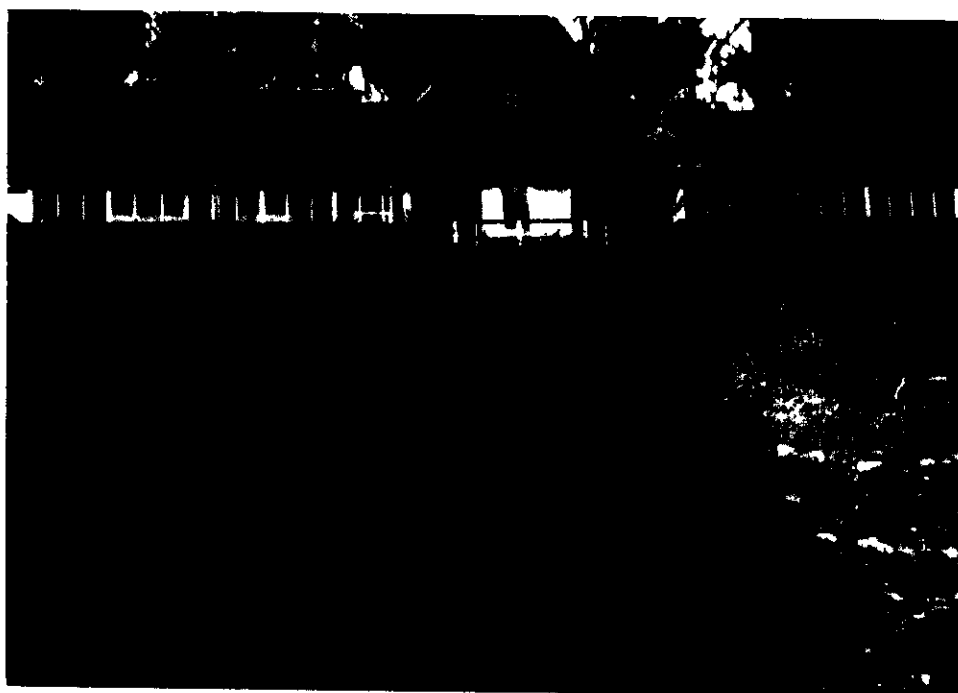
Exam sent to State Office EH 1/30/87 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and CD

Refiled in White File CD 12-1-86 (Initial and date)

EH 7/1/87

AUG 21 1987



MAINTAINED

AUG 21 1987

(pump house)

P.D.

Westwater

65-7973

P.U.

Westwater

65-7973

RECEIVED

FEB 09 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT Department of Water Resources

A. GENERAL INFORMATION

1 Owner: Westwater Intervivos Trust ^{John O. &/or Jane S. Westwater Trustees} Permit No. 65-7973
Current Address: 2418 Leeward Circle, Westlake Village, CA 91316 Phone No. _____
2 Accompanied by: unaccompanied EXAM DATE: 9-9-86 (10-2-86) comp
Address: _____ Phone No. KEYPUNGED 1-6-87
Relationship to Permit Holder: _____
3. Source: Big Payette Lake tributary to _____

B. OVERLAP REVIEW

1 Other water rights with same place of use: none ☐ Copies Attached
2 Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1 **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable ☐ Alternative diagram attached

MICROFILMED
AUG 21 1987

Scale: 1" = _____

2. ☒ Copy of U.S.G S Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

System consists of a pump (enclosed within a locked pump house, so no information available) with a flexible pipe running into lake. Water is for in-house use and, apparently, to sprinkle a small lawn.

☐ See Remarks on page 4 for continuation

| | | | | | |
|--------------------------------------|-----------|------------------|----|------------|--|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| Pump Serial No.
or Discharge Size | Pump Make | Motor Serial No. | Hp | Motor Make | Well or Diversion
Identification No.* |

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

[illegible][illegible]

UNCLASSIFIED

AUG 21 1964

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

2. Measurements:

no measurement possible

allow .04 cfs and 1.2 gfa domestic use

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses.

RECEIVED
AUG 21 1987

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Note: The Westwater's lot, Lot #18, Sylvan Beach Subdivision is within both the same & SE NW sec. 28! ~~the cabin~~ are within the same ~~lot~~ and SE NW sec. 28 (they straddle 1/4 1/4 boundary)

I. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use
From To | Rate of Diversion
Q (cfs) | Annual Volume
V (afa) |
|----------------|--------------------------|------------------------------|--------------------------|
| domestic | 1/1 12/31 | .04 | 1.2 |

2 Recommended Amendments

- ☐ Change P D as reflected above
- ☐ Add P.D. as reflected above
- ☒ None
- ☐ Change P U as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other

J. AUTHENTICATION

| | | | |
|-----------------------|-----------------------|--------------------|-------------------------------|
| Field Examiner's Name | Signature | Certification Date | Field Report Preparation Date |
| BRAD E. DINGEE | <i>Brad E. Dingee</i> | | 9-9-86 |

CONSULTANT SEAL Dated 12/1/86

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECORDED
AUG 21 1986

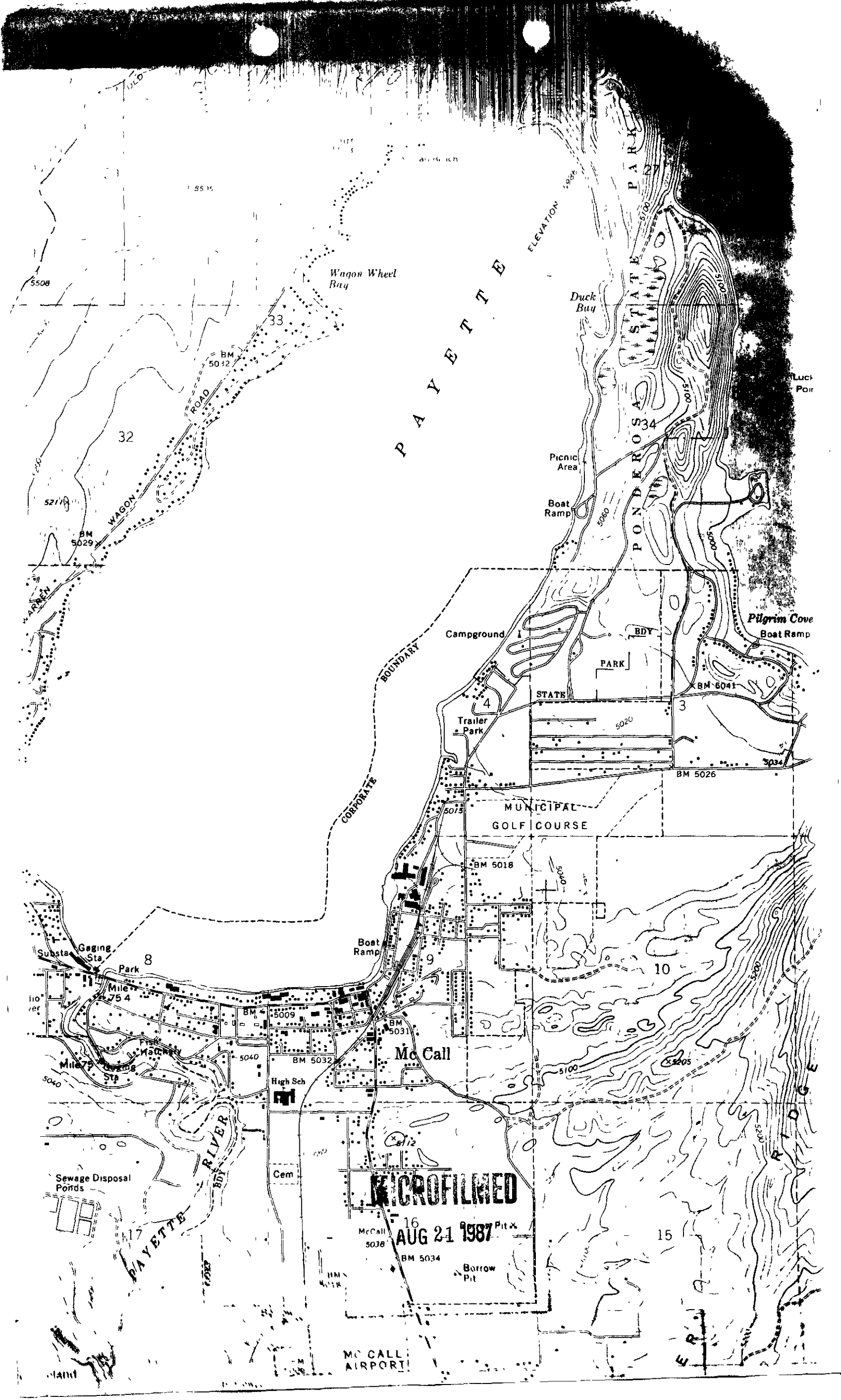
[illegible]

WICK FILMED

AUG 21 1987

Total number of acres

[illegible]





State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. Kenneth Dunn
Director

(208) 334-2190

December 1, 1981

Westwater Intervivos Trust
2413 Loeward Circle
Westlake Village, CA 91361

RE: WF-7673

Dear Sirs:

We acknowledge receipt of your statement submitted as proof as beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

_____.
If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense

Judy Pense
Secretary

is

MICROFILMED

Rita

JOHN O. WESTWATER
2418 Leeward Circle
Westlake Village, CA 91361

RECEIVED

NOV 1 1981

Department of Water Resources

10 28 81.

Dan R. Tutthill Jr.
Department of Water Resources
State of Idaho
450 W. State St.
Boise, Idaho

Re Permit No
65-7973

Dear Mr Tutthill

On 3.21.81, following receipt
of your letter of 3.6.81, I wrote
you requesting the form "Making
Proof of Beneficial Use" for the
above permit. This is for water
from Payette Lake, Lot 18 in Lot 2
Sylvan Beach, McCall.

To date this form has not
been received nor any other
information from your office.
Please advise.

Very Truly yours

John O. Westwater
for the Westwater Interests Trust

MICROFILMED

JOHN O. WESTWATER

6276 Los Diegos Way
Los Angeles, California 90027

2418 Deeward Circle

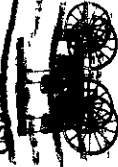
Westlake Village

Ca. 91361

MICROFILMED



Surrey 1890s
USA 1890s



Department of Water Resources
State of Idaho
450 W. State Street

Bozid

Idaho 83720

Attn: David R. Tuthill Jr.

To Westwater
2418 Deepard Circle
Westlake Village, Ca 91361



MICROFILMED



RECEIVED

JUN 5 1981

Department of Water Resources

**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 65-7973

Name(s) of Permit Holder: Westwater Intervivos Trust.

Post Office Address: ^① 2418 Jeward Blvd, Westlake Village, Ca 91361

^② P.O. Box 1589, MALL, IDA 83638 - July - Sept Tel. No. ^① 805-497-6402
^② 208-634-2056

Source of Water: PAYETTE LAKE, BIG.

Extent of Use: ☒ Domestic ONE (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

☒ Above information is a true statement of the extent to which the above numbered permit has been developed.

6.1.81

D

John O. Westwater or Jane S. Westwater
Signature of Permit Holder

Westwater
2148 Leeward Circle
Westlake Village
Ca. 91361



MICROFILMED

Department of Water Resources
State Office,
450 W. State Street
Boise,
Idaho 83720

David R. Tutthell Jr.
Supervisor

May 22, 1981

John O. Westwater
2418 Leonard Circle
Westlake Village, CA 91361

Dear Mr. Westwater:

Re: Permit No. 65-7973

Pursuant to your letter of March 23, 1981, enclosed is the statement of beneficial use postcard you requested.

To fulfill the requirement of beneficial use, simply complete the enclosed postcard. However, please be aware that to develop a water right the water must be used beneficially. In your case, the water must be used to supply one domestic dwelling. If this is the case, then you are prepared to submit proof of beneficial use.

After receiving the postcard and at some time in the future, a field inspection of the water distribution system will be conducted by our regional office staff. Based upon their recommendation, a water right license will be issued.

If you have any questions concerning this permit, please feel free to contact us again.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosure

ENCLOSURE

DR. JOHN O. WESTWATER
2418 Leeward Circle
Westlake Village, California 91361

RECEIVED

MAR 23 1981

Department of Water Resources

3 - 21 - 81

Department of Water Resources
450 W State Street
Boise, Idaho

Re Permit No 65-1973

Dear Mr. Tuthill,

Thank you for your letter and
for the approval of Applicant for permit.

Please send me the forms necessary
to fulfill the conditions ^{of the} ~~necessary~~ permit
and obtain a water license.

Any assistance you can give in
making proof of Beneficial Use
will be appreciated, since I am
no expert in water resources
law.

Sincerely

John O. Westwater

for Westwater (Interim) Trust.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

March 6, 1981

Westwater Intervivos Trust
% John & Jane Westwater
2418 Leeward Circle
Westlake Village, CA 91316

Dear Mr. & Mrs. Westwater

RE: Permit No. 65-7973

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please be advised that there is insufficient natural flow available in the Big Payette Lake and tributaries to provide water for a new appropriation throughout the entire season of use. During the spring run-off each year, there may be a period of time in which the prior rights to the use of the natural flow and storage are filled leaving water available for your permit. As the natural flow diminishes, however, there may be no water available for your right unless you arrange for an additional source of water as a supplemental supply.

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

Enclosure

RECEIVED
MAR 12 1981
WATER RESOURCES

STAFF REVIEW - STATE OFFICE

1. OK Name vs. Signature
2. OK Source
3. OK Point of Diversion
4. OK Amnt. & Period of Use
5. OK Descrip. of Diverting Wrks.
6. OK Time req. for Proof of B/U
7. OK Place of Use for other than irrig.
8. Place of Use for irrigation (add acres)
9. OK Property Owner at Pt. of Div. & Pl. of Use
10. OK Map
11. OK Fee & Rec't. No.

Copies Sent To:

 Idaho Health Department U.S.F.S.
 Idaho Fish & Game Dept. Dept. of Lands
 Bureau of Land Management Other

Dam Safety Information (Goes to Permit Section)

Check:

Critical G.W. Area yes (no)

Other rights on same land None

Withdrawals of all protests received (yes) no

Conditions:

ID Power Co. Letter - Snake R.

Meas. Dev. or Sc. Meas.

ID Power Co. Letter - G.W. & Tribs.

Totalizing meter

Snake River Condition

Supplemental

Payette River Letter ✓

Right-of-Way Cond.

Priority Date 9-9-1977

Watermaster Cond.

Wtr. Dist No.

Water Quality #16

Meas. Dev. Cond. for apps within a Water Dist.

Water Quality #10
intrastate interstate

SLW/L04(Payette R.), L05
05/65 Payette R) & special
cond.

Reviewer
2/23/81
Date

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-7473

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
Papers Sent

(1) YH 9-9-77

In form to receipt

(2) _____

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) _____

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant
☐ Request Dam Safety Information

(4) YH 9-9-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. 65

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) YH OK

Affidavit of Publication received(date) 11-1-77

(12) _____

Final date for protests _____
Protests received: yes _____ no _____

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended: ☒ Approve ☐ Deny

9/9/77 Proposed Priority

Reason for Reduction _____

NO Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District W By DBS Date 2/9/81

I.P. 1 in
Payable River Letter
Basin & w.m. condition

* The availability of water for
this permit is subject to all
prior water rights of Lake Reservoir
Company.

February 9, 1981

Westwater Intervivos
c/o John O. Westwater
2418 Leeward Circle
Westlake Village, California 91316

RE: Application for Permit No. 65-7973

Dear Mr. Westwater:

Enclosed is a copy of a withdrawal of protest against the above referenced application.

This office can now take further action on the application as appropriate.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

DBS:hlh

Enc.

RECEIVED
FEB 11 1981



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 334-2190

February 9, 1981

Lou Gorrone
Attorney at Law
P.O. Box 637
Emmett, Idaho 83617

RE: Withdrawal of Protests

Dear Mr. Gorrone:

This office acknowledges receipt of the withdrawal of protests against Applications for Permit Nos. 65-7973, 65-12088, 65-12089, 65-12091, 65-12294, 65-12338, 65-12339, 65-12342, 65-12348, 65-12354 and 65-12363.

This office will continue to process the applications as appropriate.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

DBS:hlh

MICROFILMED

May 25, 1979

M E M O R A N D U M

TO: Files Nos. 65-7973, 65-12088, 65-12089, & 65-12090

FROM: David Shaw ^{DBS}

RE: Meeting with Lake Reservoir Company

On Saturday, May 19, 1979, I met with Lake Reservoir Company in Payette as a follow-up to a meeting I had had earlier with Ed Obermeyer and Lou Gorrone. The purpose of the meeting was to further explore the possibility of finding a solution to the problem of domestic filings on Big Payette Lake near McCall. The possibility of Lake Reservoir selling domestic water to the local water users was discussed as had been done with Mr. Obermeyer and Mr. Gorrone. The Board did not seem receptive to this idea and seemed to have the attitude it was not their responsibility to provide domestic water in the McCall area.

The Chairman of the Board, Mr. Parsons, appointed a committee to investigate the problem. In the past, there has been a similar committee whose only function seemed to be to file protests against applications filed on Payette Lake.

It's my feeling that if the Board does not find an acceptable solution to the problem by this summer, hearings should be scheduled on these applications during the summer of 1979.

DBS:kk

cc: Bob Fleenor

MICROFILMED

May 8, 1979

M E M O R A N D U M

TO: Files Nos. 65-7973, 65-12088, 65-12089, & 65-12091

FROM: David Shaw DBS

SUBJECT: Meeting with Lake Reservoir Representatives on April 26, 1979

I met with Lou Gorrano, Attorney for Lake Reservoir Company, and Ed Obermeyer, a board member for Lake Reservoir, to discuss a possible solution to the protests which Lake Reservoir have filed against the above numbered domestic applications. A possible solution that was discussed would be for Lake Reservoir to file for domestic storage in Big Payette Lake and then sell that storage water to the domestic users during the period when no natural flow water is available for their rights. In the past Lake Reservoir has been concerned that this would reduce the water available to their other share holders, and Lake Reservoir does not wish to purchase Bureau of Reclamation water in Cascade since that would place them and their share holders under the 160 acre limitation. An alternative to this would be for one of the share holders that is presently under the 160 acre limitation could purchase additional Cascade water to make up for any deficit that would occur as a result of domestic water sold from Big Payette Lake. My own opinion is the amount of water sold to domestic users is going to be very small and probably will not in the immediate future cause any deficit in the amount of water available to the downstream users.

Mr. Gorrano said he would like to consider the possible solution and at least it was a beginning point to work from in trying to arrive at a plan that would meet the needs of everyone.

DBS:kk

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

(Office at the corner of
Franklin and Cole Roads)

(208) 384-2190

May 27, 1980

RE: Protested Applications
on Big Payette Lake

Bob Henggeler
Lake Reservoir Company
114 N. 8th Street
Payette, Idaho 83661

Dear Bob:

This letter is in response to our phone conversation of May 20, 1980, in which you asked for a letter containing amounts of water for the applications from Big Payette Lake which have been protested by Lake Reservoir.

The first is in the name of Westwater Intervivos Trust for 0.04 cfs of water for domestic purposes filed on Sept. 9, 1977. The State of Idaho Department of Lands has two filings, numbered 65-12088 and 65-12099, each for 500 gallons per day or approximately 0.01 cfs of water. Both of these filings are made for leasees and were received by the Department on Feb. 2, 1978. William Robert Davis has a filing received on Feb. 9, 1978 for 0.08 cfs of water for domestic purposes and 1 cfs of water for fire protection. The last filing protested by you is in the name of Edward F. and/or Janet C. Seibert for 0.04 cfs of water for domestic purposes and was filed on Dec. 4, 1979.

The total diversion rate for domestic purposes under these 5 applications is 0.18 cfs of water. This is equivalent to approximately 81 gallons per minute or 9 inches of water.

In addition to the 5 applications which have been protested by you, the Department has received and is holding an additional application in the name of Beth T. Fitzwater. This application is also for 0.04 cfs of water for domestic purposes and was filed on Dec. 6, 1978. Even though this application was not protested by you, the method of resolving the protests on the other applications should probably be applied to this application also. This brings the total amount of water applied for since September of 1977 to 0.22 cfs.

If you have any additional questions or would like additional information, please contact me. I will forward a copy of this letter to Lou Gorrone and try to arrange a meeting with him to discuss the possibilities for resolving the protests in the future.

Sincerely,
Yours truly,

DAVID B. SHAW
Western Region Supervisor

cc: Lou Gorrone



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

May 17, 1978

Mr. L. Gorrone
Attorney at Law
P. O. Box 637
Emmett, ID 83617

Re: Applications for Water Rights
65-7973 -- Westwater Intervivos Trust
65-12088, 65-12089 -- State of Idaho, Dept. of Lands
65-12091 -- William Robert Davis

Dear Mr. Gorrone:

The above referenced applications, copies enclosed, have been protested by you on behalf of Lake Reservoir Company. These applications are all similar to No. 65-7961 in the name of R. C. Campbell &/or Helen L. Curtis &/or John J. Peebles which you also protested on behalf of Lake Reservoir Company. A Memorandum Decision and Order, copy enclosed, was issued on the protested Application No. 65-7961 by the Department on January 29, 1978.

The four new applications fall into two categories. Two of the applications, 65-7973 and 65-12091 were, we believe, in use prior to last summer and have filed applications as a result of our adjudication efforts in Valley County. The other two applications, 65-12088 and 65-12089, we believe, are new applications that are now in place but we have no record of prior usage. In the future, as a result of the adjudication, all new applications should be for new appropriations and not for existing uses.

Since applications for domestic water use from Payette Lake are probably going to continue to be filed, I would like to suggest some alternatives for you and your clients to consider. As for the applications, one possibility is to agree to allow us to grant them in a fashion similar to No. 65-7961 and its accompanying Memorandum Decision and Order. Another possibility is to allow the approval of the applications with a specified period of use that does not conflict with your irrigation interests. This would probably not be practical since the domestic users could not legally use the water during the summer recreation season and, once their system was installed, would probably use water whenever they desired.

MICROFILMED

Mr. L. Gorrno
May 17, 1978
Page 2

A third possibility is to deny the applications. In this case, the applicant, for domestic use, could probably condemn from the Lake Reservoir Company water right the amount of water necessary for the domestic use. In such a condemnation procedure, the original owner must be compensated for his property taken, however, for domestic use the amount of water is small and its fair value is probably less than the cost that would be incurred during a condemnation.

Another approach to the problem that you and your clients may wish to consider is to supply water for domestic use. This could be done on an annual fee or one-time fee basis. Since Lake Reservoir Company holds the rights to the available storage between elevation 4,989.29 feet and elevation 4,983.75 feet above mean sea level than Lake Reservoir Company should be able to file for domestic storage in Payette Lake between the above elevations. This Department would probably restrict the new filing to keep the lake between the above elevations and to limit the combined irrigation and domestic storage to 27,750 acre feet per year.

Such a filing should allow Lake Reservoir Company to provide water directly to domestic users in much the same manner as they now sell their water from storage for irrigation use.

Please consider these alternatives and give me your thoughts on the various alternatives. If you have questions or would like to explore any of the alternatives further, feel free to contact me.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:rf

MICROFILMED

February 3, 1978

Re: Application for Permit No. 65-7963
Westwater Intervivos Trust

Mr. Louie Gorrano
P. O. Box 637
Emmett, IDm 83617

Dear Mr. Gorrano:

On October 18, 1977, you protested two applications for permit on behalf of Lake Reservoir Company which proposed domestic appropriations from Payette Lake.

On December 14, 1977, a conference on one of the applications (65-7961, R. C. Campbell &/or Helen L. Curtis &/or John J. Peebles) was held in Boise. Subsequently, a memorandum decision and order dated January 29, 1978 was issued by the Department in the matter.

If the memorandum decision rendered on Application No. 65-7961 is satisfactory with your client, the conference and/or hearing on 65-7973 would not have to be scheduled if you withdraw the protest against it. The Department would condition Permit No. 65-7973 with the same conditions as on Permit No. 65-7971.

Please advise me on this matter.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

RECEIVED

November 15, 1977

Re: Application for Permit No. 65-7973

John O. Westwater
5278 Los Diegos Way
Los Angeles, CA 90027

Dear Mr. Westwater:

In response to your letter of November 5, 1977, please be advised that no further action can be taken on the above referenced application unless a conference and/or hearing is held or the protestants withdraw the protest either conditionally or unconditionally or the application is relinquished.

I suggest you pursue obtaining a withdrawal of protest with the protestants.

Unless we are advised otherwise by yourself or the protestants, the matter will be scheduled for conference and/or hearing during the summer of 1978.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

RECEIVED

JOHN O. WESTWATER
5278 Los Diegos Way
Los Angeles, California 90027

NOV 14 1977

November 5, 1977

Department of Water Resources
Western Regional Office

Mr. Al Glenn Saxton P.E., Western Regional Supervisor
State of Idaho, Department of Water Resources
92 South Cole Road
Boise, Idaho 83705

Dear Mr. Saxton:

Your letter with regard to the permit which I have filed, application #65-7973 has been received. Following receipt of this communique which included the protest against the Westwater Intervivos Trust filed by Lake Reservoir Company, I called your office and was able to talk with Don Schaff, who gave me the names of Mr. Ed Parsons, and Mr. Bob Hengger of Lake Reservoir Company. I was able to discuss the matter with Mr. Hengger on Friday, October 28, and with Mr. Parsons on Monday, October 31.

I explained to them our application as follows:

The property which is a small log cabin on Payette Lake has been in the hands of my wife's family since 1942. This is a small unfinished log cabin with one bathroom.

In 1975 I decided as my retirement age approached to add a room and bath with approximately an addition of 500 feet, and at the same time thought it advisable to add a pump for an auxiliary supply.

The cabin is located in Sylvan Beach and the water supply comes from the Sylvan Beach Mutual Corporation Supply. However, this water is not always turned on in early May and frequently is turned off at the beginning of October. It is possible, but not probable that I may desire to be in the cabin as early as May 1, and up to the end of October following my retirement in 1979 or 1980.

RECEIVED

JOHN O. WESTWATER
5278 Los Diegos Way
Los Angeles, California 90027

November 5, 1977
Page 2

As you know from the application, the pump installed has a demand type pump and it is unlikely that it will ever be used during the summer. Our prior use has been almost entirely two months during July and August and will continue to be so for the next two to three years.

Should a hearing be necessary to resolve the protest, I unfortunately cannot be in Idaho until July, 1978. In addition, unfortunately on October 15, I sustained a severe fracture of my left leg and I am entirely disabled at the present time.

Mr. Parsons has informed me that the board would reconsider their protest and would let you know.

Please inform me what further measures I should take.

Sincerely,


John O. Westwater

JOW/jlr

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

October 24, 1977

Re: Application for Permit No. 65-7973
(Westwater Intervivos Trust)

L. Gorrano
P. O. Box 637
Emmett, ID 83617

Dear Mr. Gorrano:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

RECEIVED
OCT 27 1977
WATER RESOURCES
DIVISION



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

October 24, 1977

John O. & Jane Westwater
5278 Los Diegos Way
Los Angeles, CA 90027

Dear Mr. & Mrs. Westwater:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. ~~65-7073~~. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.

RECEIVED
OCT 27 1977



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

(208) 384-2190

C. STEPHEN ALLRED

Director

September 15, 1977

John & Jane Westwater
5278 Los Diegos Way
Los Angeles, CA 90027

Dear sir:

Enclosed is your Receipt No. 8898 in the amount of \$ 10.00

for application for permit which was received in
this office on 9-9-77.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

September 15, 1977

RE: Notice of Application for Permit No. 65-7967 -- Buford &/or Ruth Withers
65-7973 -- Westwater Intervivos Trust

The Star News
Box 983
McCall, ID 83633

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before October 17, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
11-1-77
[Signature]

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Westwater Intervivos Trust
5278 Los Diegos Way, Los Angeles, CA 90027
has on 9 12 77 submitted Application No. 65-7973
for a permit to appropriate 0.04 cubic feet per second ~~acre feet~~
~~XXXXXXX~~ per annum of water from Payette Lake
by means of pump & pipe
within the ~~the~~ Gov lot 2 S4N2E4 Sec 28 T19N R3E B.M., county of Valley

to be used from Jan 1 to Dec 31 for domestic purposes
for domestic purposes
within the Gov. lot 2 S4N2E4 Sec 28 T19N R3E

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before October 17, 1977.

C. STEPHEN ALLRED
Director

Published in the Star News
on September 29, 1977 and October 6, 1977.

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